

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**In re HAIN CELESTIAL HEAVY METALS  
BABY FOOD LITIGATION,**

**Case No. 2:21-CV-0678-JS-AYS**

**This Document Relates To:**

**ALL ACTIONS**

**[PROPOSED] ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, pursuant to Fed. R. Civ. P. 23(g), upon consideration of the Motion for Appointment of Erin Green Comite as Interim Class Counsel and for Appointment of an Executive Committee Pursuant to Fed. R. Civ. P. 23(g), and for good cause shown, it is hereby **ORDERED** as follows:

(1) The following attorney, and her associated law firm, shall serve as Interim Class Counsel in the above-captioned action:

Erin Green Comite  
**SCOTT+SCOTT ATTORNEYS AT LAW LLP**  
The Helmsley Building  
230 Park Avenue, 17th Floor  
New York, NY 10169  
Tel.: (212) 223-6444  
ecomite@scott-scott.com

(2) The following attorneys, and their associated law firms, shall serve as members of the Executive Committee in the above-captioned action:

Steven L. Bloch  
**SILVER GOLUB & TEITELL LLP**  
184 Atlantic Street  
Stamford, CT 06901  
Tel.: (203) 325-4491  
sbloch@sgtlaw.com

Timothy Peter  
**FARUQI & FARUQI, LLP**  
685 3rd Avenue, 26<sup>th</sup> Floor  
New York, NY 10017

Tel.: (212) 983-9330  
tpeter@faruqilaw.com

(3) Interim Class Counsel, in conjunction with the Executive Committee, shall have the following responsibilities during each stage of the action:

- (a) General coordination of the effort of preparing and presenting all of Plaintiffs' claims in the above-captioned action, including, but not limited not, overseeing the efforts of Plaintiffs' counsel so that all motion practice and pretrial discovery is conducted as effectively and efficiently as possible;
- (b) Delegating work responsibilities and tasks to all Plaintiffs' counsel in the above-captioned action in such a manner as to promote the most efficient conduct possible as well as avoiding redundancies and unnecessary expense;
- (c) Directing and executing on behalf of Plaintiffs the filing of pleadings and other documents with the Court in the above-captioned action;
- (d) Arranging telephonic or in-person meetings with Plaintiff's counsel in the above-captioned action for any purpose related to this litigation;
- (e) Deciding the substance and form (with consultation with members of the PSC and other co-counsel as may be appropriate) of any presentation to the Court and opposing parties the position of the Plaintiffs in the above-captioned action on all matters arising during the course of this litigation (*i.e.* serving as the representative for all Plaintiffs when engaging with the Court or any party in the above-captioned action);
- (f) Making appearances and speaking on behalf of Plaintiffs in the above-captioned action at all court hearings and conferences regarding the case;
- (g) Communicating with the Court, Judge's chambers, and the Clerk of the Court (including receiving orders, notices, correspondence, and telephone calls) and disseminating the substance of such communications among Plaintiffs' counsel in the above-captioned action;
- (h) Initiating and conducting discussions and negotiations with counsel for Defendant on all matters, including mediation or settlement; including, but not limited to entering into stipulations with counsel for Defendant when necessary;

- (i) Confirming that all Plaintiffs' counsel in the above-captioned action are operating in a speedy and cost-effective manner on behalf Plaintiffs;
- (j) Assessing Plaintiffs' counsel for the costs of the above-captioned action;
- (k) Preparing and distributing any status reports to the Court and to the parties as ordered;
- (l) Recommending appropriate practices and procedures pertaining to attorneys' fees and expenses for the Court, and continually enforcing those;
- (m) Initiating, coordinating, and conducting all discovery on behalf of Plaintiffs in the above-captioned action, including the selecting and retention of experts for Plaintiffs as necessary; and
- (n) Performing any such other duties that may be further directed by the Court.

**SO ORDERED:**

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Joanna Seybert, U.S.D.J.